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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/567,479

10/16/2006

Taku Yamada

39645

9351

52054 7590 05/02/2008

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EXAMINER

ZAIDI, SYED

ART UNIT

PAPER NUMBER

2616

NOTIFICATION DATE

DELIVERY MODE

05/02/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patdocket@pearne.com  
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<b>Office Action Summary</b>	<b>Application No.</b> 10/567,479	<b>Applicant(s)</b> YAMADA ET AL.	
	<b>Examiner</b> SYED ZAIDI	<b>Art Unit</b> 2616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/09/2006</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were

made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**Claims 1- 5** are rejected under 35 U.S.C. 103(a) as being unpatentable by, **Kemppinen**. (US Patent 7,076,276 B2) in view of **Lustila et al.**, (U.S. Patent 6,771,938 B2).

**Consider claim 1, Kemppinen.** discloses a communication portable terminal device, comprising **(column 1, lines 58-67)** **(column 2, lines 1-5, where Kemppinen discusses a mobile terminal device):** a single light source (200, figure 2b) **(column 1, lines 40-57)**, disposed in a housing **(column 1, lines 45-50, col. 2 lines 32-40)**; and a light guiding panel (310, figure 3), disposed in the housing for guiding a light from the light source **(column 3, lines 58-67, where Kemppinen discusses a window in the light path)**, wherein the light guiding panel includes **(column 3, lines 37-53):** a light transmitting member that has an incident portion on which the light emitted from the light source is incident, and provided on a back

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face of the light guiding panel (**Kemppinen disclosed transmit the light path or the light of the light emitters as the light source and a light source arranged for illumination of a substantial area of the casing of the mobile phone ( column 3 line 58-67, and column 5, lines 15-23, where winow has an incident portion), and having an almost plate like shape (column 3, lines 58-67); and an emitting portion from which the light transmitted from the light source is emitted (column 4, lines 32-38), and provided on a front face of the light transmitting member (column 4, lines 39-44, which is a light emitter); and reflecting units provided on both of the front face and the back face of the light transmitting member for reflecting (column 4, lines 25-44) the light emitted from the light source. However **Kemppinen.** fails to discloses incident on the incident portion plural times and guiding the light to the emitting portion.**

In the same field of endeavor **Lustila et al.**, discloses incident on the incident portion plural times and guiding the light to the emitting portion. (**Column 2, lines 60-67, column 3, lines 1-11 and paragraph Abstract lines 1-3).**

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the

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incident on the incident portion plural times and guiding the light to the emitting portion as disclosed by **Lustila et al.**, for the purpose of interactive communication between a user and the mobile which flashes small lights when incomings call received controls the programming as disclosed by **Lustila et al.**, (**column 1, lines 36-39**).

**Consider claim 2**, as applied to claim **1, Kemppinen.** as modified by **Lustila et al.**, discloses a communication portable terminal device (**column 2, lines 53-54**), wherein the reflecting unit on the back face side includes a reflecting print portion having a peculiar color in a high reflectance on the back face side of the light transmitting member (**column 4, lines 25-38**).

**Consider claim 3**, as applied to claim **1, Kemppinen.** as modified by **Lustila et al.**, discloses a communication portable terminal device (**column 2, lines 53-54**), wherein the incident portion is formed in a curved concave on the back face of the light transmitting member arranged just above the light source. However **Kemppinen.** fails to discloses incident on the incident portion plural times and guiding the light to the emitting portion.

In the same field of endeavor **Lustila et al.**, discloses incident on the incident portion plural times and guiding the light to the

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emitting portion. **(Column 2, lines 60-67, column 3, lines 1-11 and paragraph Abstract lines 1-3).**

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the incident on the incident portion plural times and guiding the light to the emitting portion as disclosed by **Lustila et al.**, for the purpose of interactive communication between a user and the mobile which flashes small lights when incomings call received controls the programming as disclosed by **Lustila et al.**, **(column 1, lines 36-39).**

**Claims 4- 5** are rejected under 35 U.S.C. 103(a) as being unpatentable by, **Kemppinen.** (US Patent 7,076,276 B2) in view of **Lustila et al.**, (U.S. Patent 6,771,938 B2) and further in view **Hankui.** (U.S. Patent 6,745,057 B1).

**Consider claim 4**, as applied to claim **1**, **Kemppinen.** as modified by **Lustila et al.**, discloses a communication portable terminal device **(Kemppinen disclosed transmit the light path or the light of the light emitters as the light source and a light source arranged for illumination of a substantial area of the casing of the mobile phone which is a communication portable device (column 5, lines 15-23), (column 2, lines 53-54).** However

**Kemppinen.** as modified by **Lustila et al.**, fails to disclose a V-shaped groove is provided at a boundary on surfaces.

In the same field of endeavor **Hankui.** discloses a V-shaped groove is provided at a boundary on surfaces (**Column 2, lines 60-67, column 3, lines 1-11 and paragraph Abstract lines 1-3**).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate a V-shaped groove is provided at a boundary on surfaces as disclosed by **Hankui.** for the purpose of interactive communication between a user and the mobile which flashes small lights on a V-shape face to the radiation efficiency of the portable telephone as disclosed by **Hankui.** (**column 2, lines 1-2**).

**Consider claim 5, as applied to claim 1, Kemppinen.** as modified by **Lustila et al.**, discloses a communication portable terminal device (**column 2, lines 53-54**) wherein the housing that comprises (**Kemppinen disclosed transmit the light path or the light of the light emitters as the light source and a light source arranged for illumination of a substantial area of the casing of the mobile phone which is a communication portable device (column 5, lines 15-23), (column 1, lines 45-50)** a foldable structure

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and a lower housing having an operating key provided on an inner side surface thereof opposed to the inner side surface of the upper housing when the upper housing and the lower housing are set in a closing state **(column 1, lines 40-55)** the lower housing being rotatably coupled to the upper housing through a hinge portion **(column 3, lines 66-67, column 4, lines 1-17 and figure # 2a and 2b)**; and wherein the light guiding panel is disposed on an outer side face that is opposite to the inner side surface of the upper housing **(column 4, lines 31-44 and figure # 2b)**, and the emitting portion 20 on the front face faces an outside. However **Kemppinen.** as modified by **Lustila et al.**, fail to disclose an upper housing having a liquid crystal display unit on an inner side surface.

In the same field of endeavor **Hankui.** discloses an upper housing having a liquid crystal display unit on an inner side surface **(Column 15, lines 65-67, column 16, lines 1-5).**

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate discloses an upper housing having a liquid crystal display unit on an inner side surface disclosed by **Hankui.** for the purpose of interactive communication between a user and the mobile which flashes small

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lights on electromagnetic wave for the radiation efficiency of the portable telephone as disclosed by **Hankui (Column 1, lines 44-53)**.

### **Conclusion**

Any response to this Office Action should be **faxed to** (571) 273-8300

**or mailed to:**

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Alexandria, VA 22313-1450

**Hand-delivered responses** should be brought to

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Randolph Building

401 Dulany Street

Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Syed Zaidi whose telephone number is (571) 270-1779. The Examiner can normally be reached on Monday-Thursday from 6:30am to 5:00pm.

If attempts to reach the Examiner by telephone are Unsuccessful, the Examiner's supervisor, **Nick Corsaro** can be reached on (571) 272-7876. The fax phone number for the

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organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 571-272-4100.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Syed Zaidi

S.Z/s.z

April 25th, 2008.

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/Nick Corsaro/

Supervisory Patent Examiner, Art Unit 4181